

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p>DAVID B. GOLUBCHIK (State Bar No. 185520) JEFFREY S. KWONG (State Bar No. 288239) LEVENE, NEALE, BENDER, YOO &amp; BRILL L.L.P. 10250 Constellation Boulevard, Suite 1700 Los Angeles, California 90067 Telephone: (310) 229-1234 Facsimile: (310) 229-1244 Email: DBG@LNBYB.COM; JSK@LNBYB.COM</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Debtor and Debtor in Possession</p>		<p>FOR COURT USE ONLY</p>	
<p><b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION</b></p>			
<p>In re:</p> <p>SUNYEAH GROUP CORPORATION,</p> <p>Debtor(s).</p>		<p>CASE NO.: 6:19-bk-21185-MH CHAPTER: 11</p> <p><b>NOTICE OF SALE OF ESTATE PROPERTY</b></p>	

<b>Sale Date:</b>	TBD	<b>Time:</b>	TBD
<b>Location:</b> Online, and in-person auction conducted at: 930 Wanamaker Avenue, Ontario, California 91761.			

**Type of Sale:** ☒ Public ☐ Private **Last date to file objections:** March 2, 2020 at 9:00 a.m.

**Description of property to be sold:**

Certain glass-making materials, equipment, and other personal property assets located at 930 Wanamaker Avenue, Ontario, California 91761 (the "Equipment Assets")

**Terms and conditions of sale:** Please see attached Notice of Hearing.

**Proposed sale price:** \_\_\_\_\_ Varies by item.

**Overbid procedure (if any):** Please see attached Notice of Hearing.

**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

Date: 3/2/2020  
Time: 1:00 PM  
Place: Courtroom "303"  
3420 Twelfth Street  
Riverside, CA 92501

**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

Jeffrey S. Kwong  
LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.  
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Date: 02/24/2020

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**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**RIVERSIDE DIVISION**

In re: ) Case No.: 6:19-bk-21185-MH

SUNYEAH GROUP CORPORATION, ) Chapter 11 Case

Debtor and Debtor in Possession. )

**NOTICE OF HEARING ON  
SHORTENED TIME FOR MOTION  
FOR ORDER: (1) AUTHORIZING  
EMPLOYMENT OF TAUBER-ARONS,  
INC. AS AUCTIONEER; (2)  
APPROVING STIPULATION WITH  
LANDLORD REGARDING SALE;  
AND (3) AUTHORIZING SALE OF  
EQUIPMENT ASSETS FREE AND  
CLEAR OF CLAIMS, LIENS AND  
INTERESTS, AND SUBJECT TO  
STIPULATION**

Hearing on Shortened Notice

Date: March 2, 2020

Time: 1:00 P.M.

Place: Courtroom "303"

3420 Twelfth Street

Riverside, CA 92501

1  
2 **PLEASE TAKE NOTICE** that the Court will hold a hearing (the “Hearing”) on  
3 shortened time on March 2, 2020 at 1:00 p.m. in Courtroom 303 of the United States Bankruptcy  
4 Courthouse located at 3420 Twelfth Street, Riverside, California 92501 to consider the “*Motion*  
5 *For Order: (1) Authorizing Employment Of Tauber-Arons, Inc. As Auctioneer; (2) Approving*  
6 *Stipulation With Landlord Regarding Sale; And (3) Authorizing Sale Of Equipment Assets Free*  
7 *And Clear Of Claims, Liens And Interests, And Subject To Stipulation*” [Doc. No. 36] (the  
8 “Motion”) filed by Sunyeah Group Corporation (the “Debtor”), the chapter 11 debtor and debtor  
9 in possession in the above-captioned bankruptcy case.

10 **PLEASE TAKE FURTHER NOTICE** that written oppositions to the Motion must be  
11 filed with the Court and served on the Debtor’s attorney, the Office of the United States Trustee,  
12 with a Judge’s copy personally delivered to chambers, by no later than March 2, 2020 at 9:00 a.m.  
13 A reply to any oppositions may be made orally at the Hearing. The failure to oppose the Motion  
14 may be deemed to be consent to the granting of the relief requested in the Motion.

15 **PLEASE TAKE FURTHER NOTICE** that, through the Motion, the Debtor requests that  
16 the Court enter an order: (1) authorizing the employment of Tauber-Arons, Inc. (“TA”) as  
17 auctioneer, (2) approving the “*Stipulation Between Kippartners, LP And The Debtor And Debtor-*  
18 *In-Possession*” (the “Stipulation”); and (3) authorizing the sale of the Equipment Assets at auction  
19 free and clear of claims, liens and other interests, subject to the Stipulation.

20 **PLEASE TAKE FURTHER NOTICE** that TA has agreed to serve as auctioneer to sell  
21 the Equipment Assets, subject to the terms of the Auction Agreement attached as Exhibit “1” to  
22 the Motion (the “Auction Agreement”). The full bases of the Debtor’s employment and proposed  
23 compensation for TA are set forth in the Motion.

24 **PLEASE TAKE FURTHER NOTICE** that, prior to filing the Motion, the Debtor has  
25 consulted with the Landlord regarding the proposed auction and employment of TA, and believes  
26 that the Landlord – although contending, among other things, that the Equipment Assets are not  
27 property of the estate – will not object to the Sale, subject to the terms of the Stipulation, attached  
28 as Exhibit “2” to the Motion.

**PLEASE TAKE FURTHER NOTICE** that the Debtor seeks to, among other things, sell the glass-making materials, equipment, and other personal property assets located at 930 Wanamaker Avenue, Ontario, California 91761 (the “Equipment Assets”). The auctioneer estimates that the Equipment Assets have a combined auction value of approximately \$250,000 to \$500,000.

A summary of the sale terms and conditions are as follows:

**(A) Date, Time, and Place of Sale:** TBA, online and in-person auction conducted at: 930 Wanamaker Avenue, Ontario, California 91761.

**(B) Name and Address of Proposed Buyer:** The sale of the Equipment Assets shall be by public auction. The Debtor not yet obtained any proposed buyers.

**(C) Description of Property to Be Sold:** The Equipment Assets.

**(D) Terms and Conditions of the Proposed Sale**

- Purchase Price: : Public auction; and
- Condition of Assets: Assets purchased “as-is” without any representations or warranties of any kind.

**(E) Liens:** The only liens against the Equipment Assets are those asserted by Zhongda Zhang and Xiaodong Shi (collectively, the “Lien Claimants”). Both of the Lien Claimants have consented to the sale of the Equipment Assets free and clear of their liens and interests, with such liens and interests, if any, to attach to the proceeds pursuant to Section 363(f)(2) of the Bankruptcy Code.

**(F) Overbid Procedures:** The sale shall be by public auction.

**(G) Consideration:** The Debtor estimates that after payment of the Auctioneer’s expenses (maximum of \$9,000), an auction will net at least \$241,000 back to the estate.

**(H) Buyer’s Premium:** TA will be charging and retaining 15% buyers’ premium for any property sold onsite at the auction on the Premises, and a 18% buyers’ premium for any property sold online (with 15% retained by TA, and 3% remitted to the online auction webhost).

1       **PLEASE TAKE FURTHER NOTICE** that this notice, the Motion, and the Court's  
2 order setting the Hearing on shortened time will be sent to secured creditors and counsel (if  
3 known); special notice parties (if any), twenty largest unsecured creditors, the Office of the  
4 United States Trustee, with a Judge's copy personally delivered to chambers. Parties wishing to  
5 receive additional copies of the Motion may make a request to the Debtor's counsel, whose  
6 contact information appears in the top-left corner of the first page of this notice.

7       **WHEREFORE**, through the Motion, the Debtor seeks the Court's entry of an order:

- 8       1.     Approving the Stipulation;
- 9       2.     Authorizing the Debtor, through TA, to sell and auction the Equipment Assets for  
10 the benefit of the Debtor's bankruptcy estate free and clear of the liens, claims, and interests of the  
11 Lien Claimants and Landlord, subject to the terms of the Stipulation;
- 12       3.     Approving the Debtor's employment of TA as auctioneer on the terms set forth  
13 herein, and in the Auction Agreement;
- 14       4.     Authorizing the payment of TA's expenses, up to \$9,000;
- 15       5.     Directing that the fourteen day stay of the order approving the Motion as provided  
16 by Federal Rule of Bankruptcy Procedure 6004(h), or any other applicable rules, shall not apply  
17 and that absent judicial imposition of a stay of the Court order approving the Motion pending  
18 appeal, the Debtor may immediately consummate the actions that are approved by such Court  
19 order;
- 20       6.     Providing that the notice given by the Debtor in connection with the Motion is  
21 adequate, sufficient, proper and complies with all applicable provisions of the Bankruptcy Code  
22 and Federal Rules of Bankruptcy Procedure; and
- 23       7.     Granting such other and further relief as is just and appropriate.

24 Dated: February 24, 2020

SUNYEAH GROUP CORPORATION

By: /s/ Jeffrey S. Kwong

David B. Golubchik

Jeffrey S. Kwong

LEVENE, NEALE, BENDER,

YOO & BRILL L.L.P.

Attorneys for Chapter 11 Debtor and Debtor in  
Possession

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 10250 Constellation Blvd., Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **February 24, 2020**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Dennis A Dressler ddressler@dresslerpeters.com
- Abram Feuerstein abram.s.feuerstein@usdoj.gov
- David B Golubchik dbg@lnbyb.com, stephanie@lnbyb.com
- Everett L Green everett.l.green@usdoj.gov
- Jeffrey S Kwong jsk@lnbyb.com, jsk@ecf.inforuptcy.com
- Sean A OKeefe sokeefe@okeefelc.com, seanaokeefe@msn.com
- United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov

**2. SERVED BY UNITED STATES MAIL:**

On **February 24, 2020**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **February 24, 2020**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**Personal Delivery:**

The Honorable Mark D. Houle  
United States Bankruptcy Court  
3420 Twelfth Street  
Suite 365 / Courtroom 303  
Riverside, CA 92501-3819

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 24, 2020  
*Date*

Lisa Masse  
*Printed Name*

/s/ Lisa Masse  
*Signature*